

**DESIGN REVIEW BOARD  
City of Miami Beach, Florida**

MEETING DATE: December 05, 2017  
FILE NO: DRB17-0194  
PROPERTY: **1820 Bay Road**  
APPLICANT: 1800 Bay Road Investors LLC  
LEGAL: East ½ of Lot 3 of Block 14 of Island View Subdivision, According to the Plat Thereof, as Recorded in Plat Book 6, Page 115, of the Public Records of Miami-Dade County, Florida.  
IN RE: The Application for Design Review Board approval for the construction of a new one-story building which will replace an existing one-story building.

**ORDER**

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

**I. Design Review**

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 2, 3, 5, and 6 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 5, 9, and 10 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met
  1. Revised elevation, site plan and floor plan drawings for the proposed commercial building at 1820 Bay Road shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
    - a. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Such sign plan shall be consistent in materials, method of illumination and sign location, in a manner to be



- reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- b. A new building id/address sign “1820” shall be located on a horizontal grill above the southernmost entry and each numerical character shall consist of individual components mounted to the grill, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - c. If required by the Fire Department, any PIV shall be chrome plated or painted to match wall or storefront color, and located in a recessed area configured preferably at the north portion of the building and not be visible from the right-of-way. Any proposed BFP shall be located in a notch at the rear of the property unless prohibited by the Fire Department. FDC shall be chrome plated and semi-recessed into the exterior wall. Shall recessed area at the north portion not be sufficient to allocate required connections and meters, a recessed area at the south portion, consistent with what was presented in supplemental information plans, may be considered. The final design and details of the proposed recessed areas at the north and south portion shall be provided and to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - d. The area rooftop shall include a planter with plant bed depth of sufficient size to accommodate low landscaping. The applicant shall provide a cross section of the planter and clarify dimensions and the planter shall be internally irrigated. The final design and details of the proposed built-in planter shall be provided and to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - e. The final design and details of the proposed storefront system shall be required, in a manner to be reviewed and approved by staff. Manufacturer's drawings and Dade County product approval numbers for all new windows, doors and glass shall be required.
  - f. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall configured to be as close to the center of the roof as possible and screened from view on all sides, in a manner to be approved by staff.
  - g. The stone cladding proposed along the façades of the building shall match in size, color and material to the neighboring building to the south, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - h. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, if parallel to the exterior wall, shall be setback a minimum of ten (10') feet from the east and south walls of the building on the first and second levels, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from



- the Board. This shall not prohibit substantially transparent fixtures for display purposes; however, shelving, partitions, and checkout counters, or similar objects, shall not be permitted to be flush to the east and south walls of the building on the first and second levels.
- i. The final design and details of all exterior and interior lighting shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding area. No florescent or intensive 'white' lighting (or similar intensive lighting) visible from the adjacent public rights of way or adjacent properties shall be permitted.
  - j. Any future kitchen ventilation shall be chased through the interior of the building to the roof or along the rear. No exhaust ducts or vents shall be permitted on any building elevations except the rear elevation.
  - k. A fully enclosed, air-conditioned trash room shall be provided, which is sufficient to handle the maximum uses intended for the proposed structure. External dumpsters shall not be permitted.
  - l. If technically feasible, all overhead utility lines shall be placed underground.
  - m. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
  - n. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
2. A revised landscape plan, prepared by a Professional Architect or Landscape Architect registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
  - b. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
  - c. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.



- d. The utilization of root barriers and Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- e. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventers and all other related devices and fixtures. The location of backflow preventers, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- f. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right of wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- g. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit

**In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission.**

**I. Variance(s)**

- A. No variance(s) were filed as part of this application.

**III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.**

- A. If required, a recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department, in a manner to be reviewed and approved by staff.
- B. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- C. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- D. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.



- E. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- F. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- G. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- H. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

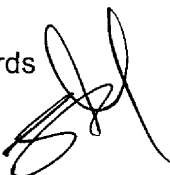
PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "1820 Bay Road", as prepared by **STA Architectural Group**, dated October 16, 2017, and supplemental sheets entitled "1820 BR\_2017\_1205\_DRB FINAL PRESENTATION optm" revised 12/05/17, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards



that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

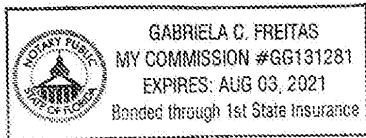
Dated this 14<sup>th</sup> day of December, 2017.

DESIGN REVIEW BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]  
JAMES G. MURPHY  
CHIEF OF URBAN DESIGN  
FOR THE CHAIR

STATE OF FLORIDA            )  
  )SS  
COUNTY OF MIAMI-DADE    )

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of December 2017 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.



[Signature]  
NOTARY PUBLIC  
Miami-Dade County, Florida  
My commission expires: 8-8-21

Approved As To Form: \_\_\_\_\_  
City Attorney's Office: Nick Kallegis (12/13/2017)

Filed with the Clerk of the Design Review Board on [Signature] (12/15/17)

[Handwritten initials]